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F.#2016R000614

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

FILED
IN CLERK'S OFFICE
US DISTRICT COURT E.D.N.Y.

★ APR 05 2019 ★

BROOKLYN OFFICE

UNITED STATES OF AMERICA

- against -

ORDER

XZAVIER APODACA and
BYRON OLIVER,

Defendants.

Cr. No. 17-125 (LDH)

WHEREAS on March 7, 2017, a federal grand jury sitting in the Eastern District of New York returned an Indictment charging the defendants XZAVIER APODACA and BYRON OLIVER with conspiracy to distribute anabolic steroids in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(E)(i), and 846,

WHEREAS on April 3, 2018, the United States Attorney's Office for the Eastern District of New York agreed to defer the prosecution of the defendants XZAVIER APODACA and BYRON OLIVER on the above-referenced charges for a period of one year pursuant to the terms of their respective Deferred Prosecution Agreements,

WHEREAS on April 3, 2019, the defendants XZAVIER APODACA and BYRON OLIVER successfully completed the one-year deferral period,

WHEREAS RICHARD P. DONOGHUE, United States Attorney for the Eastern District of New York, by Assistant United States Attorney Kaitlin T. Farrell, has moved for an Order dismissing the charges in the Indictment as to the defendants XZAVIER APODACA and BYRON OLIVER with prejudice,

IT IS HEREBY ORDERED that the charges contained in the Indictment are dismissed with prejudice as to the defendants XZAVIER APODACA and BYRON OLIVER.

Dated: Brooklyn, New York
April 4, 2019

s/ LDH

~~THE~~ HONORABLE LASHANN DEARCY HALL
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK